

REMARKS

[0002] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-9, 11, 12, 14-17, 19-50 are currently pending
- Claims 1, 12, 14, 17, 27, 35, 41, and 46 are amended herein

[0003] Support for the amendments to claims 1, 12, 14, 17, 27, 35, 41, and 46 is found in the specification at least at ¶ [0048] - ¶ [0050].

Claims 1-9, 11-12, 14-17, 19-50 Comply With § 112 1st Paragraph

[0004] Claims 1-9, 11-12, 14-17, 19-50 stand rejected under 35 U.S.C. § 112, ¶ 1, as allegedly failing to comply with the written description requirement. Applicant respectfully traverses this rejection.

[0005] Nevertheless, for the sole purpose of expediting prosecution and without commenting on the propriety of the Office's rejections, Applicant herein amends claims 1, 12, 17, 27, 35, 41, and 46 as shown above. Applicant respectfully submits that these amendments render the § 112, ¶ 1 rejections moot.

Cited Documents

[0006] The following documents have been applied to reject one or more claims of the Application:

- Nero: Nero, "Ahead Software"
- Beard: Beard et al, U.S. Patent No. 5,113,517
- Belfiore: Belfiore et al, U.S. Patent No. 5,886,699
- Kuroda: Kuroda et al, U.S. Patent No. 5,946,277
- Sexton: Sexton et al, U.S. Patent No. 6,499,095
- Stewart: Stewart, U.S. Patent No. 6,640,269
- Paravulescu: Paravulescu et al, U.S. Patent No. 6,678,764

§ 103 Rejections

[0007] Claims 1-9, 11, 12, 14-17, and 19-50 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Nero, Beard, Belfiore, Kuroda, Sexton, Stewart, and Paravulescu alone and/or in various combinations. Applicant respectfully traverses the rejection.

[0008] The Examiner indicates (Action, p. 4) the following with regard to claim 12:

In regards to claim 12, Nero teaches dynamically accepting designations from a computer user of the plurality of computer resources to be written to a removable storage medium (Figure 1, Element 3).

Nero does not teach managing a plurality of computer resources by the operating system. Beard teaches an operating system that interacts with a user to manage a computer system (Figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero with the teachings of Beard and include an operating system to manage a computer with the motivation to provide the user with more flexibility in what the user can do.

Nero and Beard do not teach a graphical user interface which in response to the user clicking on an icon, presents a menu where the user is able to select a staging area not currently visible to the user. Belfiore teaches, a graphical user interface which in response to the user clicking on an icon, presents a menu where the user is able to select a staging area not currently visible to the user (See Figure 2C, Element 220). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Nero and Beard with the teachings of Belfiore and include a menu which shows possible staging areas with the motivation to provide the user a simple and efficient method of sending data to the appropriate destinations.

[0009] The cited art, and specifically, Nero, do not describe claim 12 (with emphasis added), copied below:

A method comprising:
managing a plurality of computer resources by an application program running under supervision of an operating system;

dynamically accepting designations from a computer user of the plurality of computer resources to be written to a removable storage medium;

designating at least one resource of the plurality of computer resources to be written to the removable storage medium through non-graphical means by the application program, wherein the designating is transparent to the application program; and

presenting, in response to a user clicking on an icon representative of the removable storage medium, a menu where the user is able to select a staging area not currently visible to the user.

[0010] Nero describes (at p. 58):

Once you've decided on a format, the attributes and options associated with your particular kind of disc are immediately accessible for configuration, via a familiar "tab"-type interface: you may move straight from choosing to create a CD-ROM to filling out the Volume Descriptor and setting any unusual file-naming options you may require. No fanfare, just this quick and compact interface in which to lay the foundation of your intended disc. Everything is where it ought to be as well; there's no rifling the recesses and dropdown menus of Nero when you want to make a multisession disc. You simply select CD-ROM, hit the multisession tab, configure, and go.

Having finished with that, you move into that standard CD-R software drag-and-drop interface, the kind we've probably all seen, where you have a CD layout window and a file browser window. I don't know why this is, but it's kind of interesting: the file browser defaults to the right side of your screen, and the layout window to the left, so you end up dragging your data right to left, which is totally counterintuitive, unless you read a lot of Hebrew. You can, of course, switch the windows around, but I left them the way they were (as Bertolt Brecht would have me believe that it's good for me to be estranged from what I'm used to from time to time). We get a fresh view of our surroundings this way, he says, and we pay a little more attention to what we're doing (this may account for the lack of coasters produced by Nero).

When it comes time to burn, you simply hit a small Burn button in the icon bar. This brings up the "Write CD" dialog, which you may recognize as exactly the same thing as the "New Compilation" dialog, except the default tab is your burn option. Here you're able to review the settings you made in the "New Compilation" dialog, as well as configure the burn

options (buffer, DAO/TAO, the whole bit), and actually write the CD. If my experience is true to form, this procedure results in a usable CD every time.

[0011] More specifically, Nero describes that "standard CD-R software drag-and-drop interface...where you have a CD layout window and a file browser window....the file browser defaults to the right side of your screen, and the layout window to the left, so you end up dragging your data right to left..." See page 59, 1st column, second paragraph. To that end, it is evident that Nero merely describes a user employing a drag-and-drop interface to designate resources to be written. Nero describes dragging items, by a user, to the CD layout window to designated resources to be written. However, Nero is completely silent with respect to designating resources to be written through non-graphical means by an application program, much less that the designating is transparent to the application program. Further, the remaining cited art do not overcome the deficiencies of Nero.

[0012] As shown above, Nero, Beard, Belfiore, Kuroda, Sexton, Stewart, and Paravulescu, alone or in combination, do not teach or suggest designating resources to be written through non-graphical means by an application program, the designating being transparent to the application program. Accordingly, Applicant asks the Examiner to withdraw the rejection of claims 1-9, 11, 12, 14-17, and 19-50.

Conclusion

[0013] Applicant submits that all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the Examiner is urged to contact the undersigned representative for the Applicant before issuing a subsequent Action.

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Michael D. Carter/

Dated: /June 8, 2009/

Michael D. Carter(michaelcarter@leehayes.com; 512-505-8162 x5004)
Registration No. 56661

Reviewer/Supervisor: Robert L. Villhard (bob@leehayes.com; 512-505-8162x5005)
Registration No. 53725